

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.04 F, Closed Area No. 38-B, Burnt Cove, West Stonington; promulgated on October 2, 1990, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.04 F, Closed Area No. 38-B, Burnt Cove, West Stonington.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Burnt Cove, West Stonington, easterly (inland) of a line beginning at an unnamed point approximately 400 yards northeast of Fifield Point, running in a northeast direction to the nearest point of land on the opposite shore of Burnt Cove.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: November 28, 2001

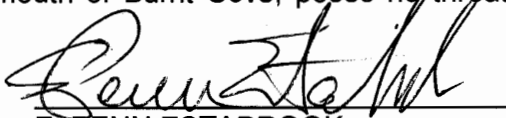
AGENCY CONTACT PERSON: Amy Fitzpatrick
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BANGOR DAILY NEWS
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STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.04 F, Closed Area No. 38-B, Burnt Cove, West Stonington; promulgated on October 2, 1990, and replaces it with a new regulation which decreases the size of the shellfish closure.

Department personnel have surveyed the area and determined the area from Fifield Point northeast to an unnamed point of land at the southern mouth of Burnt Cove, poses no threat to public health and may be opened to shellfish harvesting.


E. PENN ESTABROOK
DEPUTY COMMISSIONER

Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area
For: Stonington

C38B - Burnt Cove, Stonington 11/28/01

